

## REMARKS/ARGUMENTS

Claims 1-22 and 25-32 are pending. Claims 1-4, 6, 8, 10, 12-14, 18-22, and 30 are amended. Claims 23 and 24 are cancelled. Claims 31 and 32 are new.

### Drawings

Replacement drawings are appended hereto.

### Claim Rejections under 35 U.S.C. § 112

Claim 3 has been amended to overcome the antecedent basis issue indicated by the Examiner. Claim 13 has been amended according to the Examiner's recommendation.

### Claim Rejections under 35 U.S.C. § 101

The applicant's agent understands that the USPTO has adopted an interim policy, in effect while courts decide the issue, wherein a signal containing computer instructions is regarded to be non-statutory subject matter. To comply with the Examiner's rejection under this policy and further prosecution on the merits, the applicant's agent has complied with the Examiner's rejection and amended claims 2, 4, 6, 8, 10, 12, 14, 18, 20, 22, 26 (claim 24 being cancelled), 28, and 30 as recommended by the Examiner. However, the applicant submits that the claims (including new claim 32) are to be regarded as reading on the entire breadth of corresponding computer-readable media and equivalents, including a carrier wave or transmitted signal, as may be determined statutory by the courts and/or legislative action.

### Claim Rejections under 35 U.S.C. § 103

Claim 1 has been amended. Claim 1 is allowable for reasons similar to those given for claim 19, below. In particular, the Examiner has not shown AAPA and Jeong, alone or in combination, to disclose or reasonably suggest saving "in at least one of a predetermined progression of memory divisions in the memory, a first data address table" and saving "in at least one next memory division within the predetermined

progression of memory divisions in the memory a second data address table," as recited by claim 1. Claim 1 is therefore allowable over the cited references.

Claims 2-18 depend from claim 1 and are also allowable for at least the reasons given for claim 1.

Claim 19 has been amended to incorporate limitations corresponding to claim 23. The examiner has not shown the combination of AAPA, Jeong, Soderstrom, and Hwang to disclose or reasonably suggest "during a session when step (a) is performed, writing a first data address table which specifies logical locations of the first data set to at least one sector that is the highest available sector of the memory," as recited by claim 19.

Hwang apparently discloses a "total table-of-contents" (TTOC) at the highest available sector of the memory. The Examiner has not shown Hwang to disclose writing a first data address table to such a location during a session when "writing the data set to at least one lowest available sector of the memory," as recited by claim 23. On the contrary, as disclosed at column 6, lines 31-37 of Hwang, "The TOCs recorded in lead-in areas LIN1-LINM of all the sessions are sequentially recorded in the total TOC area TTOC allotted to the outermost circumferential area of the CD, before recording the TOC for the corresponding session and before recording termination data in lead-in area LINM upon completion of recording the last session."

Therefore, Hwang's TTOC is apparently only created during completion of the last recording session, not "during a session when "writing a data set to at least one lowest available sector of the memory," as recited by claim 19.

The Examiner has thus not shown AAPA, Jeong, Soderstrom, and Hwang, alone or in combination to disclose all the limitations of claim 19, and claim 19 is allowable over the cited references.

Claims 20-22 and 25-30 depend from claim 19 and are also allowable for at least the reasons given for claim 19.

Applicant respectfully requests that the Examiner withdraw the rejection/objection of claims 1-30 in view of applicant's remarks and issue an allowance for claims 1-22 and 25-32. Should further payment be required to cover such fees you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If the Examiner believes that a phone interview would be helpful, he is respectfully requested to contact the Applicants' agent, Christopher A. Wiklof, at (425) 455-5575.

DATED this 7<sup>th</sup> day of February 2007.

Respectfully submitted,

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